

74



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,384	12/20/2001	Claude Perreault	5600-74	4899
20792	7590	08/17/2005	EXAMINER	
MYERS BIGEL SIBLEY & SAJOVEC			YU, MISOOK	
PO BOX 37428			ART UNIT	
RALEIGH, NC 27627			PAPER NUMBER	
			1642	
DATE MAILED: 08/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/028,384

EXAMINER

ART UNIT

PAPER

20050811

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

This communication is in response to Betty's (the examiner did not get the last name) inquiry about Exhibit A indicated as attached in the Office action mailed on 07/28/05. Exhibit A was attached in the previous Office action mailed on 12/28/04. Note page 12 of the Office action mailed on 12/28/04. A copy of Exhibit A is attached with this communication.

Misook Yu, 8/11/05

5.00

T.D

Exhibit A

DB 2 TTGGCGTATCCCTTCGAAAGCATCTCCAGGCTTCAGCGTGGTAACTATAGA 61  
QY 110 SerThrHisLeuAlaSerHisGlyPheThrGluPheLeuSerPheAspGluArg 129  
DB 62 TCACACATCATCTTCGATCTCATGGCTTCATGATTTTAAATGCTTGTGATGAGA 121  
QY 130 AlaTyrPyrProLeuGlyArgIleValGlyThrValTyrProGlyLeuMetIleThr 149  
DB 122 GCATGGTATCCACTAGGAAGATAGTAGTGGTACTGTTTACCAGCGGTGATGATAACC 181  
QY 150 AlaGlyLeuIleHisGlyPheLeuSerHisLeuAlaSerHisLeuArgAspVal 169  
DB 182 GCTGGGCTTATTCATTTGGATTTTAAATGATTCGACATACCTGTTTACATAGACAGCTA 241  
QY 170 CysValPheLeuAlaProThrPheSerGlyLeuThrSerIleSerThrPheLeuLeuThr 189  
DB 242 TGTGTGTTCTTCGACCACTTTTAGCGGCTTACATCTATATCTACTTTCCTGCTTACA 301  
QY 190 ArgGluLeuThrPheSerGlyAlaGlyLeuLeuAlaAlaCysPheIleAlaIleValPro 209  
DB 302 AGAGACTTTGGAAACCAAGGAGGAGGACTTTTAGCTGCTGTTTATTTGCTATGTACCA 361  
QY 210 GlyTyrIleSerArgSerValAlaGlySerPheAspAsnGluGlyIleAlaIlePheAla 229  
DB 362 GGTACATATCTCGGTGAGTAGCTGATCTTTTATGATGATGAGGCAATGCTATTTTGA 421  
QY 230 LeuGlnPheThrTyrTyrLeuTyrValIleSerValIleThrGlySerValPheThrThr 249  
DB 422 CTTCACTTCACATCATATTTATGGTAAATCTGTAAAGCACTGGGTCTGTTTGTGACA 481  
QY 250 MetCysCysLeuSerTyrPheTyrMetValSerAlaTyrPheGlyTyrValPheIle 269  
DB 482 ATGTGCTGCTGCTTATCTATCTATATGCTCTGCTTCTGCTGGGTGTTATGTTATTC 541  
QY 270 IleAsnLeuIleProLeuHisValPheValLeuLeuMetGlnArgTyrSerIleArg 289  
DB 542 ATCAATCTTATTCACGCTGATGATTTGTTGTTGTTGTTGTTGTTGTTGTTGTTGTT 601  
QY 290 ValTyrIleAlaTyrSerThrPheTyrIleValGlyLeuLeuSerMetGlnIlePro 309  
DB 602 GTTACATAGCATATAGCATCTTTCTACATGCTGGGTTTAAATATATATATGATGATCT 661  
QY 310 PheValGlyPheGlnProIleArgThrSerGluHisMetAlaAlaGlyValPheAla 329  
DB 662 TTTGTGGGATTCAGCCATTCAGAACAGTGAACACATGCGCAGCTGCGTCTTTGCA 721  
QY 330 LeuLeuGlnAlaTyrAlaPheLeuGlnTyrIleuArgAspArgLeuThrIleGlnGluPhe 349  
DB 722 TTGCTGCAAGCTTATGCTTTCTGCAATCTGAGAGCCGATTCACAAACAGAGTTTC 781  
QY 350 GlnThrLeuPhePheLeuGlyValSerLeuAlaAlaGlyAlaValPheLeuSerValIle 369  
DB 782 CAGACCTTTTCTTTTGGGTGATCTACATGCTGAGGCTGCTGTTCTTCTAGTGTATC 841  
QY 370 TyrLeuThrTyrThrGlyTyrIleAlaProTyrPheSerGlyArgPheTyrSerLeuTyrAsp 389  
DB 842 TATTGTGCTTATACAGGTTATACATGCACTGATGATGAGGCTTTTATTCATGCTGGAT 901  
QY 390 ThrGlyTyrAlaValIleHisIleProIleIleAlaSerValSerGluHisGlnProThr 409  
DB 902 ACTGGTATGCAAAATACACATTCACATTTATGTCATGCTGATGCTGATGATGATGATG 961  
QY 410 ThrTyrValSerPhePheAspLeuHisIleLeuValCysThrPheProAlaGlyLeu 429  
DB 962 ACTTGGGTGCTTTCTTCTTGTATCTACATATTTCTTGTATGATGCTTCCAGCAGGCTT 1021  
QY 430 TrpPheCysIleLeuAsnIleAsnAspGluArg 440  
DB 1022 TGGTCTTCATCAAAATATCAACGATGAAGA 1054

RESULT 11  
AAV44866

AAV44866 standard; cDNA, 2546 BP.  
AAV44866,  
21-OCT-1998 (first entry)  
Clone CT585\_1 coding sequence.  
Secreted protein; nutritional source; cell proliferation activity;  
cell differentiation activity; immune stimulant; tissue growth activator;  
haematopoiesis regulator; anti-inflammatory; tumour invasion suppressor;  
tumour inhibitor; clone CT585\_1; de.  
Homo sapiens.  
Location/Qualifiers  
112..972  
/\*tag= a  
CDS  
WO9825962-A2.  
18-JUN-1998. 97MO-US023224.  
12-DEC-1997; 96US-00766263.  
13-DEC-1996; 97US-00989232.  
11-DEC-1997;  
(GBMY) GENETICS INST INC.  
Jacobs K, McCoy JM, Lavallie ER, Racie LA, Merberg D, Treacy M;  
Spaulding V, Agostino MJ;  
WPI, 1998-362424/31.  
P-99DB; AAM69247.  
New isolated polynucleotides - obtained from human adult testis, human  
adult ovary, human adult brain and human adult heart cDNA libraries.  
Claim 35; Page 79-81; 108pp; English.  
This sequence represents a polynucleotide of the invention, and encodes a  
secreted protein. It was isolated from a human adult brain cDNA library,  
and is designated clone CT585\_1. The DNA sequences and encoded  
polypeptides can be used as nutritional sources or supplements, or may  
exhibit e.g. cytokine and cell proliferation/differentiation activity,  
immune stimulating or suppressing activity, haematopoiesis regulating  
activity, receptor/ligand activity, anti-inflammatory activity,  
activin/inhibin activity, chemostatic/chemokinetic activity,  
cadherin/tumour invasion, suppressor activity, tissue growth activity,  
tumour inhibition activity or other activities  
Sequence 2546 BP; 837 A; 416 C; 490 G; 803 T; 0 U; 0 Other;  
Alignment Scores:  
Pred. No.: 0 Length: 2546  
Score: 323.00 Matches: 323  
Percent Similarity: 100.00% Conservative: 0  
Best Local Similarity: 100.00% Mismatches: 0  
Query Match: 39.10% Indels: 0  
DB: 2 Gaps: 0  
US-10-028-384-2 (1-826) x AAV44866 (1-2546)  
QY 504 LysArgAsnGlnGlyAsnLeuTyrAspValAlaGlyValAlaGlyValAlaThrGlu 523  
DB 1 AAGAGAACCAAGCAATTTGTATGATAGGAGGATGAGGAGGAGGAGGAGGAGGAGGAG 60  
QY 534 GlnGluValThrGlnGluGlyLeuGlyProAsnIleLysSerIleValThrMetLeuMet 543  
DB 61 CAGGAAAGAACTGAAGAGGAGGAGGAGGAGGAGGAGGAGGAGGAGGAGGAGGAGGAGG 120  
QY 544 LeuMetLeuLeuMetMetPheAlaValHisCysThrTyrValThrSerAsnAlaTyrSer 563

BEST AVAILABLE COPY

DB 121 CTGATGCTATTGATGATGTTTGGTGTCTCACTGTACTGCTGCTCAAGCAATGCTACTCT 180  
 QY 564 SerProSerValValLeuAlaSerTyrAsnHisAspGlyThrArgAsnIleuAspAsp 583  
 DB 181 AGTCACAGTGTAGTCTCTGGCTCATCAATCATCATGATGGCCACCGGATATCTTATGATAT 240  
 QY 584 PheArgGluAlaTyrPheThrLeuAlaSerTyrAsnHisAspGlyThrArgAsnIleuAsp 603  
 DB 241 TTTAGAGAGCTTACTTTTGGCTTACGGCAATATACAGATGATCAACGACGACGATTAATCT 300  
 QY 604 TrpTrpAspTyrGlyTyrGlnIleAlaGlyMetAlaAsnArgThrThrLeuValAspAsn 623  
 DB 301 TGGTGGATATGCTATATGATAGTGTGATGCTGATGCTGATGCTGATGCTGATGCTGAT 360  
 QY 624 AsnThrTrpAsnSerHisIleAlaLeuValGlyLeuAlaMetSerSerAsnGluThr 643  
 DB 361 AACACCTGGATATACAGCACATAGCACTGCTGGGAAAGCTATGCTTCTTAATGAACA 420  
 QY 644 AlaAlaTyrIleValMetArgThrLeuAspValAspTyrValLeuValIlePheGly 663  
 DB 421 GCAGCTATATAATCATAGGACTCTAGATGATGATGATGATGATGATGATGATGATGAT 480  
 QY 664 ValIleGlyTyrSerGlyAspAspIleAsnIleAsnIleAsnIleAsnIleAsnIle 540  
 DB 481 GTTATTGGCTATCTGGTGTATGATATCAACAAATTTCTGGATGCTTGGATGCTTGGAT 540  
 QY 584 GlyGluHisProLysAspIleArgGluSerAspTyrPheThrProGlnIleValPheArg 703  
 DB 541 GAGGAACATCCCAAGACATTCGGGAAAGTGACTATTTTACCCCAAGGAGAAATTCGT 600  
 QY 704 ValAspIleAlaGlySerProThrLeuLeuAsnCysLeuMetTyrIleValMetSerTyr 723  
 DB 601 GTAGACAAAGCAGGATCCCTACTTTGTTGATTTGCTTATGATATATAAATGCTACTAC 660  
 QY 724 ArgPheGlyGluMetGlnLeuAspPheArgThrProGlnIleValPheArg 743  
 DB 661 AGTTTGGAGAAATGCACTGCTGATTTTCTGACACCCCAAGGTTTACCGACACGATAT 720  
 QY 744 AlaGluIleGlyAsnIleAspIleLysPheLysHisLeuGluAlaPheThrSerGlu 763  
 DB 721 CTTGAGATTTGGAAATAGGACATTAATTCAAACATTTGGAGAGGCTTTTACATCGAA 780  
 QY 764 HisTrpLeuValArgIleTyrIleValLysValLysAlaProAspAsnArgGluThrLeuAspHis 783  
 DB 781 CACTGGCTTGTAGGATATATAAGTAAAGCAGCTGATAACAGGAGACATTAGATCAC 840  
 QY 784 LysProArgValThrAsnIlePheProLysGlnIleValLysLeuSerLysLysThrLys 803  
 DB 841 AACCTCGAGTCCCAACATTTTCCCAACAGAGATTTTGTCTAAAGAGACTACCAAA 900  
 QY 804 ArgLysArgGlyTyrIleLysAsnIleValLysValLysLysGlyLysLysLysLys 823  
 DB 901 AGCAAGCTGCTGCTACATTAATTAATTAATTAATTAATTAATTAATTAATTAATTAAT 960  
 QY 824 LysThrVal 826  
 DB 961 AAGACTGTT 969

RESULT 12

AAP98463

ID AAP98463 standard; cDNA; 2546 BP.

XX

AC AAP98463,

XX

DT 07-JUN-2001 (first entry)

XX

DB Human cDNA clone CT585\_1 sequence SRQ ID 150.

XX

Human, secreted protein; nutrient; cytokine modulator; proliferation;  
 differentiation; immune system modulator; tissue growth; chemotactic;  
 haemostatic; thrombolytic; anti-inflammatory; tumour inhibition; ss;  
 haematopoiesis.

XX Homo sapiens.  
 OS WO200119988-A1.  
 PN 22-MAR-2001.  
 PD 14-SEP-2000; 2000WO-US025135.  
 PP 17-SEP-1999; 99US-00398829.  
 PR (GEM) GENETICS INST INC.  
 PA Jacobs K, McCoy JM, Lavallie BR, Collins-Racie LA, Evans C,  
 PI Morberg D, Treacy M, Bowman MR, Spaulding V, Agoetino MJ,  
 PT WPI, 2001-244801/25.  
 DR P-PSDB, AAP90727.  
 XX Isolated nucleic acids encoding polypeptides, useful for modulating e.g.  
 cytokine and cell proliferation/differentiation activity, the immune  
 system and hematopoiesis regulating activity.  
 XX Disclosure; Page 476-477; 557pp; English.  
 CC Human cDNA clones represented in AAP98374 - AAP98489 encode secreted  
 CC proteins AAP90667 - AAP90750. The cDNA clones are isolated from various  
 CC tissue types, and may be used in the prevention, treatment and diagnosis  
 CC of diseases associated with inappropriate protein expression. The  
 CC polypeptides and nucleic acids may be used as nutrients or to modulate  
 CC cytokine and cell proliferation/differentiation activity, and/or tumour  
 CC inhibition in modulation of the immune system. The cDNA sequences,  
 CC proteins, their agonists and/or antagonists exhibit haematopoiesis  
 CC regulating activity; tissue growth activity; activin/inhibin activity;  
 CC chemotactic/chemokinetic activity; haemostatic and thrombolytic activity;  
 CC receptor/ligand activity; anti-inflammatory activity; haematopoiesis  
 CC activity; cachectin/tumour suppressor activity; and/or tumour inhibition  
 CC activity. Included in the invention are probes represented in AAP98490 -  
 CC AAP98572 which are specific for the cDNA clones encoding the secreted  
 CC proteins

Sequence 2546 BP; 837 A; 416 C; 490 G; 803 T; 0 U; 0 Other;

Alignment Scores:

Pred. No.: 0 Length: 2546  
 Score: 323.00 Matches: 323  
 Percent Similarity: 100.00% Conservative: 0  
 Best Local Similarity: 100.00% Mismatches: 0  
 Query Match: 39.10% Indels: 0  
 DB: 5 Gaps: 0

US-10-028-384-2 (1-826) x AAP98463 (1-2546)

QY 504 LysArgAsnGlnGlyAsnLeuTyrAspLysAlaGlyValArgLysHisAlaThrGlu 523  
 DB 1 AAAAGAAACCAAGGAAATTTGATGATAGGCAAGGTAAAGTGAAGAAACATCAACTGAA 60  
 QY 524 GlnGluLysThrGluGluGlyLeuGlyProAsnIleLysSerIleValThrMetLeuMet 543  
 DB 61 CAGGAAAAAACTGAAGAGGAGGATAGCCCTTAATAATAAAGCAATGTCACCATTTGATG 120  
 QY 544 LeuMetLeuLeuMetMetPheAlaValHisCysThrTrpValThrSerAsnAlaTyrSer 563  
 DB 121 CTGATGCTATTGATGATGATGTTTGGTCTGCTGCTGCTGCTGCTGCTGCTGCTGCT 180  
 QY 564 SerProSerValValLeuAlaSerTyrAsnHisAspGlyThrArgAsnIleuAspAsp 583  
 DB 181 AGTCAAGTGTAGTCTCTGGCTCATCAATCATCATGATGGCCACCGAATATCTTAGATGAT 240  
 QY 584 PheArgGluAlaTyrPheThrLeuArgGlnAsnThrAspGluHisAlaLeuValMetSer 603  
 DB 241 TTTAGAGAGCTTACTTTTGGCTAAGGCAAAATACAGATGATGACATGACCGAGTAATGCTCT 900